

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A method of controlling a sending peer of a data unit transmission protocol, said sending peer being capable of dividing a continuous data symbol stream into data units of at least a first format and a second format and sending said data symbol stream in the form of said data units of said first format or said second format to a receiving peer, comprising:

- maintaining a first record of said data symbol stream in terms of one or more first sequences of data units of said first format,
- simultaneously maintaining a second record of said data symbol stream in terms of one or more second sequences of data units of said second format, where said first record and said second record have a common reference point to said data symbol stream,

- dynamically switching between a first transmission mode for sending data units of said first format and a second transmission mode for sending data units of said second format, where each sent data unit of said first format comprises a sequence position indicator that indicates a position in one of said first sequences and each sent data unit of said second format comprises a sequence position indicator that indicates a position in one of said second sequences, where

- after switching from said first transmission mode to said second transmission mode, the transmission continues with a given data unit of one of said second sequences comprising a position indicator such that said given data unit comprises a data symbol immediately following a last data symbol of said data symbol stream that was sent in the data unit of said first format last sent before said switching, and

- after switching from said second transmission mode to said first transmission mode, the transmission continues with a given data unit of one of said first sequences comprising a position indicator such that said given data unit comprises a data symbol

immediately following the last data symbol of said data symbol stream that was sent in the data unit of said second format last sent before said switching.

2. (Original) The method of claim 1, wherein said common reference point is implicitly defined with respect to said sequence position indicators.

3. (Previously Presented) The method of claim 1, wherein said sending peer sends a reference point synchronization message to said receiving peer for setting said reference point.

4. (Previously Presented) The method of claim 1, wherein said sending peer is a link layer peer.

5. (Previously Presented) The method of claim 1, wherein said data units of said first format are sent over one or more first transmission channels and said data units of said second format are sent over one or more second transmission channels.

6. (Previously Presented) The method of claim 1, wherein upon switching from one of said first and second transmission modes to the other of said first and second transmission modes, a message indicating an associated switching in data unit format is sent by said sending peer.

7. (Previously Presented) The method of claim 1, wherein each data unit sent by said sending peer comprises a format type indicator.

8. (Previously Presented) The method of claim 1, wherein said second record comprises a first and a second of said second sequences of said data units of said second format, said second of said second sequences being offset from said first of said second sequences by a predetermined offset amount with respect to said reference point.

9. (Original) The method of claim 8, wherein after switching from said first transmission mode to said second transmission mode, said sending peer determines the given data unit of said first of said second sequences that comprises the data symbol immediately following the last data symbol of said data symbol stream that was sent in the last sent data unit of said first format, and determines the given data unit of said second of said second sequences that comprises the data symbol immediately following the last data symbol of said data symbol stream that was sent in the last sent data unit of said first format, determines which of said given data units comprises less data symbols already sent with the last data unit of said first format, and continues the transmission with that one sequence of said second sequences to which the given data unit with less of said data symbols belongs.

10. (Previously Presented) The method of claim 1, wherein each data unit sent by said sending peer comprises an offset indicator.

11. (Previously Presented) The method of claim 1, wherein said receiving peer sends receiver status messages to said sending peer, said receiver status messages comprising information on the receipt of one or more of said data units, said data units being identified in terms of sequence position indicators associated with one of said first sequences, said method further comprising

a retransmission procedure for retransmitting data units on the basis of said receiver status messages, and a procedure for determining one or more second sequence position indicators associated with one of said second sequences on the basis of a given first sequence position indicator, where the one or more data units of said second format associated with said one or more second sequence position indicators cover all of the data symbols contained in the given data unit of said first format associated with said first sequence position indicator, where said retransmission procedure retransmits said data units of said second format associated with said one or more second sequence position indicators.

12. (Canceled)

13. (Currently Amended) A method of controlling a receiving peer of a data unit transmission protocol, where said receiving peer receives a continuous data symbol stream in the form of data units of a first format or a second format from a sending peer, the method comprising:

- identifying a sequence position indicator in each received data unit, said sequence position indicator indicating a position of said received data unit in a respective sequence to which said received data unit belongs, where said data units of said first format belong to one of one or more first sequences of data units of said first format, and said data units of said second format belong to one of one or more second sequences of data units of said second format,
- detecting a switching of said sending peer between a first transmission mode for sending data units of said first format and a second transmission mode for sending data units of said second format, and reconstructing said data symbol stream on the basis of said identified sequence position indicators and said detected switching.

14. (Original) The method of claim 13, wherein said receiving peer is a link layer peer.

15. (Previously Presented) The method of claim 13, wherein said data units of said first format are sent over one or more first transmission channels, said data units of said second format are sent over one or more second transmission channels, and said step of detecting said switching comprises determining over which transmission channel said data units are received.

16. (Previously Presented) The method of claim 13, said step of detecting said switching comprises detecting a message sent by said sending peer indicating an associated switching in data unit format.

17. (Previously Presented) The method of claim 13, wherein each data unit sent by said sending peer comprises a format type indicator, and said step of detecting said switching comprises monitoring said format type indicators.

18. (Previously Presented) The method of claim 13 one, wherein said reconstructing is further based on a common reference point of said one or more first sequences and said one or more second sequences to said data symbol stream.

19. (Previously Presented) The method of claim 18, wherein said common reference point is implicitly defined with respect to said sequence position indicators.

20. (Previously Presented) The method of claim 18, wherein said receiving peer receives a reference point synchronization message from said sending peer and sets said common reference point on the basis of said reference point synchronization message.

21. (Previously Presented) The method of claim 18, wherein said step of reconstructing further comprises a step of identifying duplicate data symbols contained in data symbols of said first format and data symbols of said second format on the basis of said common reference point.

22. (Previously Presented) The method of claim 13, wherein said step of reconstructing comprises a step of identifying duplicate data symbols contained in data symbols of said first format and data symbols of said second format on the basis of dedicated messages sent from said sending peer to said receiving peer that identify said duplicate data symbols.

23. (Previously Presented) The method of claim 13, wherein said receiving peer sends receiver status messages to said sending peer, said receiver

status messages comprising information on the receipt of one or more of said data units, said method further comprising a procedure for determining one or more second sequence position indicators associated with one of said second sequences on the basis of a first sequence position indicator associated with one of said first sequences, where the one or more data units of said second format associated with said determined one or more second sequence position indicators cover all of the data symbols contained in the data unit of said first format associated with said first sequence position indicator, for identifying in said receiver status messages said data unit of said first format in terms of said determined one or more second sequence position indicators.

24. (Previously Presented) The method of claim 23, further comprising a procedure for determining one or more first sequence position indicators associated with one of said first sequences on the basis of a second sequence position indicator associated with one of said second sequences, where the one or more data units of said first format associated with said determined one or more first sequence position indicators cover all of the data symbols contained in the data unit of said second format associated with said second sequence position indicator, for identifying in said receiver status messages said data unit of said second format in terms of said determined one or more first sequence position indicators.

25. (Previously Presented) The method of claim 13 further comprising a procedure for generating receiver status messages comprising one or both of said first and second sequence position indicators depending on one or more predetermined optimisation functions.

26. (Canceled)

27. (Currently Amended) A data unit sender comprising

a sending peer of a data unit transmission protocol and the data unit sender being arranged for

dividing a continuous data symbol stream into data units of at least a first format and a second format, and

sending said data symbol stream in the form of said data units of said first format or said second format and comprising a record keeping part arranged for

maintaining a first record of said data symbol stream in terms of one or more first sequences of data units of said first format, and

for simultaneously maintaining a second record of said data symbol stream in terms of one or more second sequences of data units of said second format, where said first record and said second record have a common reference point to said .

28. (Original) The data unit sender of claim 27, comprising a switching part for dynamically switching between a first transmission mode for sending data units of said first format and a second transmission mode for sending data units of said second format, where each sent data unit of said first format comprises a sequence position indicator that indicates a position in one of said first sequences and each sent data unit of said second format comprises a sequence position indicator that indicates a position in one of said second sequences, and

a data unit output part arranged such that

– after said switching part switches from said first transmission mode to said second transmission mode, said data unit output part continues the transmission with a given data unit of one of said second sequences comprising a position indicator such that said given data unit comprises a data symbol immediately following the last data symbol of said data symbol stream that was sent in the data unit of said first format last sent before said switching, and

-- after said switching part switches from said second transmission mode to said first transmission mode, said data unit output part continues the transmission with a given data unit of one of said first sequences comprising a

position indicator such that said given data unit comprises a data symbol immediately following the last data symbol of said data symbol stream that was sent in the data unit of said second format last sent before said switching.

29. (Previously Presented) The data unit sender of claim 27, wherein said common reference point is implicitly defined with respect to said sequence position indicators.

30. (Previously Presented) The data unit sender of claim 27, further comprising a message sending part for sending a reference point synchronization message to said receiving peer for setting said reference point.

31. (Previously Presented) The data unit sender of claim 27, wherein said sending peer is a link layer peer.

32. (Previously Presented) The data unit sender of claim 27, wherein said data unit sender is connected to one or more first transmission channels for transmitting said data units of said first format and to one or more second transmission channels for transmitting said data units of said second format.

33. (Previously Presented) The data unit sender of claim 27, wherein said data unit sender is arranged to output a message indicating a switching in data unit format upon said switching part switching from one of said first and second transmission modes to the other of said first and second transmission modes.

34. (Previously Presented) The data unit sender of claim 27, wherein each data unit sent by said sending peer comprises a format type indicator.

35. (Previously Presented) The data unit sender of claim 27, wherein said second record comprises a first and a second of said second sequences of said data

units of said second format, said second of said second sequences being offset from said first of said second sequences by a predetermined offset amount with respect to said reference point.

36. (Original) The data unit sender of claim 35, further comprising an information processor that is arranged such that after said switching part switches from said-first transmission mode to said second transmission mode, said information processor determines the given data unit of said first of said second sequences that comprises the data symbol immediately following the last data symbol of said data symbol stream that was sent in the last sent data unit of said first format, and determines the given data unit of said second of said second sequences that comprises the data symbol immediately following the last data symbol of said data symbol stream that was sent in the last sent data unit of said first format, determines which of said given data units comprises less data symbols already sent with the last data unit of said first format, and said sending peer continuing the transmission with that one sequence of said second sequences to which the given data unit with less of said data symbols belongs.

37. (Previously Presented) The data unit sender of claim 35, wherein said data unit sender is arranged such that each data unit sent by said sending peer comprises an offset indicator.

38. (Previously Presented) The data unit sender of claim 27, wherein said sending peer is arranged to receive receiver status messages from said receiving peer, said receiver status messages comprising information on the receipt of one or more of said data units, said data units being identified in terms of sequence position indicators associated with one of said first sequences, further comprising  
a retransmission part for retransmitting data units on the basis of said receiver status messages, and

an information processor for determining one or more second sequence position indicators associated with one of said second sequences on the basis of a given first sequence position indicator, where the one or more data units of said second format associated with said one or more second sequence position indicators cover all of the data symbols contained in the given data unit of said first format associated with said first sequence position indicator,

said retransmission part being arranged to retransmit said data units of said second format associated with said one or more second sequence position indicators.

39. (Currently Amended) A data unit receiver comprising a receiving peer of a data unit transmission protocol, where said receiving peer is arranged to receive a continuous data symbol stream in the form of data units of a first format or a second format from a sending peer, the data unit receiver comprising:

- a sequence position identifier for identifying a sequence position indicator in each received data unit, said sequence position indicator indicating a position of said received data unit in a respective sequence to which said received data unit belongs, where said data units of said first format belong to one of one or more first sequences of data units of said first format, and said data units of said second format belong to one of one or more second sequences of data units of said second format,

- a switching detector for detecting a switching of said sending peer between a first transmission mode for sending data units of said first format and a second transmission mode for sending data units of said second format, and -

- a data symbol stream reconstruction part for reconstructing said data symbol stream on the basis of said identified sequence position indicators and said detected switching.

40. (Original) The data unit receiver of claim 39, wherein said receiving peer is a link layer peer.

41. (Previously Presented) The data unit receiver of claim 39, wherein said data unit receiver is connected to one or more first transmission channels for receiving said data units of said first format and to one or more second transmission channels for receiving said data units of said second format.

42. (Previously Presented) The data unit receiver of claim 39, wherein said switching detector is arranged for detecting a message sent by said sending peer indicating an associated switching in data unit format.

43. (Previously Presented) The data unit receiver of claim 39, wherein each data unit sent by said sending peer comprises a format type indicator, and said switching detector is arranged for monitoring said format type indicators.

44. (Previously Presented) The data unit receiver of claim 39, wherein data symbol stream reconstruction part is further arranged to reconstruct said data symbol stream on the basis of a common reference point of said one or more first sequences and said one or more second sequences to said data symbol stream.

45. (Original) The data unit receiver of claim 44, wherein said common reference point is implicitly defined with respect to said sequence position indicators.

46. (Previously Presented) The data unit receiver of claim 44, wherein said receiving peer has a receiving part for receiving a reference point synchronization message from said sending peer and a setting part for setting said common reference point on the basis of said reference point synchronization message.

47. (Previously Presented) The data unit receiver of claim 44, wherein said data symbol stream reconstruction part is arranged to identify duplicate data symbols contained in data symbols of said first format and data symbols of said second format on the basis of said common reference point.

48. (Previously Presented) The data unit receiver of claim 39, wherein said data symbol stream reconstruction part is arranged for identifying duplicate data symbols contained in data symbols of said first format and data symbols of said second format on the basis of dedicated messages sent from said sending peer to said receiving peer that identify said duplicate data symbols.

49. (Previously Presented) The data unit receiver of claim 39, further comprising

a message generator for generating and sending receiver status messages to said sending peer, said receiver status messages comprising information on the receipt of one or more of said data units, and

an information processor for determining one or more second sequence position indicators associated with one of said second sequences on the basis of a first sequence position indicator associated with one of said first sequences, where the one or more data units of said second format associated with said determined one or more second sequence position indicators cover all of the data symbols contained in the data unit of said first format associated with said first sequence position indicator, for identifying in said receiver status messages said data unit of said first format in terms of said determined one or more second sequence position indicators.

50. (Previously Presented) The data unit receiver of claim 49, said information processor further being arranged for determining one or more first sequence position indicators associated with one of said first sequences on the basis of a second sequence position indicator associated with one of said second sequences, where the one or more data units of said first format associated with said determined one or more first sequence position indicators cover all of the data symbols contained in the data unit of said second format associated with said second sequence position indicator, for identifying in said receiver status messages said data unit of said second format in terms of said determined one or more first sequence position indicators.

51. (Previously Presented) The data unit receiver of claim 49 or 50, wherein said message generator is further arranged for generating receiver status messages comprising one or both of said first and second sequence position indicators depending on one or more predetermined optimisation functions.

52. (Currently Amended) A method of keeping a record of a data transmission in a sending peer of a data unit transmission protocol, said sending peer being capable of dividing a continuous data symbol stream into data units of at least a first format and a second format, and sending said data symbol stream in the form of said data units of said first format or said second format, the method comprising:

- maintaining a first record of said data symbol stream in terms of one or more first sequences of data units of said first format, and
- simultaneously maintaining a second record of said data symbol stream in terms of one or more second sequences of data units of said second format, where said first record and said second record have a common reference point to said data symbol stream.